

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

ALLAN B. MERKLINGER, JR.  
NAN V. MERKLINGER

Case No.: 14-29239  
Judge: KCF  
Chapter: 13

### CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following **(choose one)**:

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_, creditor,

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☒ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for 6/14/2017, at 9:00.

- ☐ Certification of Default filed by \_\_\_\_\_,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons **(choose one)**:

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows **(explain your answer)**:

☒ Other **(explain your answer)**:

We were very recently approved for a loan modification (see attached).

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 6/9/2017

/s/ Nan Merklinger  
Debtor's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.



8742 Lucent Boulevard • Suite 300 • Highlands Ranch, CO 80129

1-800-306-6059

1-877-875-0981

May 26, 2017

ALLAN MERKLINGER  
NAN MERKLINGER  
57 WEST MAIN STREET  
FREEHOLD, NJ 07728

RE: Loan Number [REDACTED]  
Property Address:  
27 CAROLYN RD  
LITTLE SILVER, NJ 07739

Dear ALLAN MERKLINGER & NAN MERKLINGER,

Specialized Loan Servicing LLC ("SLS") has conducted a review of your application submitted for a mortgage relief option.

Below is a list of the mortgage relief options you were evaluated for and the result of each:

**Congratulations! You have been approved for a Mortgage Relief Option:** Standard Trial to Modification Program. Please see enclosed documentation for terms of the extended offer. You have until July 31, 2017 to accept this offer.

Please note, if you are currently in a bankruptcy proceeding, approval of any mortgage relief option for which you may be eligible is contingent on approval of the bankruptcy court in your bankruptcy case. If an Order is entered denying the mortgage relief option, that Order supersedes any agreement contained herein. If you have any questions or concerns regarding the process to obtain court approval, please contact your attorney.

- **Standard Trial to Modification Program - Approved**
- **Standard Repayment Plan - Denied**
  - Review of your financials indicates that a repayment plan payment is not affordable; therefore, you are not eligible for a repayment plan.
  - You are not eligible for a repayment plan because our records indicate that you have filed for bankruptcy.
- **Disaster Modification Program - Denied**
  - Your loan does not meet the delinquency requirements for this program.
  - We do not show that your property is located in a federally declared disaster area.
  - Your loan is an active foreclosure.
- **Short Negotiated Payoff - Denied**
  - An offer was not received that met minimum net proceeds amount.

Setting the Standard

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- **Cooperative Short Sale Program - Denied**

- Your loan is not eligible because we service your loan on behalf of an investor or group of investors that has not given us the contractual authority to complete this transaction.

**Second Independent Review of Modification Denial**

If the property is your primary residence and this is your first evaluation, you have the right to request a second independent review to determine your eligibility for a loan modification. To request a second review you must send us your request in writing which must be received by us no later than June 25, 2017. Please include a copy of this letter with your request including any supporting documentation. If the property is your primary residence, this is your first evaluation and your request is received in the disclosed time frame, we will not initiate or continue with any scheduled foreclosure during the review we have offered you a home retention option and the result of your second independent review changes the offer and results in denial your loan will be enforced according to its original terms. This could include foreclosure. Your written request must either be mailed or faxed to us as follows:

| Mail   | Fax  |
|--|--|
| Specialized Loan Servicing LLC<br>P.O. Box 636005<br>Littleton, CO 80163 | <b>1-877-875-0981</b><br>(Page limit per transmission is 25 pages) |

If you enter into another trial period plan for a modification after having previously been permanently modified under the HAMP program, you will no longer be eligible to receive HAMP incentives. Loss of eligibility for HAMP incentives will take effect upon receipt of the first payment of the new trial period plan for your current loss mitigation application; regardless of whether you receive a permanent modification subsequent to your new trial period plan.

**ENCLOSURES:**

- Change of Intent Form and additional information on mortgage relief options.
- Standard Modification Agreement

The requirements for this evaluation were set forth and performed in accordance with the Pooling and Servicing Agreement between Specialized Loan Servicing LLC and Deutsche Bank National Trust Company, as Trustee for Home Equity Mortgage Loan Asset-Backed Trust, Series INABS 2005-B, Home Equity Mortgage Loan Asset-Backed Certificates, Series INABS 2005-B.

If you have questions concerning this letter or need further assistance, you may contact me or our Customer Resolution Department at 1-800-306-6059 Monday through Friday, 7:00 a.m. until 7:00 p.m. MT. SLS accepts calls from relay services on behalf of hearing impaired borrowers.

If you have other questions about mortgage relief options that cannot be answered by us, please call the Homeowner's HOPE™ Hotline at 1-888-995-HOPE (4673). This Hotline can help with questions about the program and offers access to free HUD-certified counseling services in English and Spanish.

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